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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/533,577

Applicant(s)

LOVISA, NOEL WILLIAM

Examiner

MATTHEW S. LINDSEY

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25, 27-32, 35-39 and 42-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25, 27-32, 35-39, 42-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 May 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 5/3/2005.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-25, 27-32, 35-39 and 42-44 are pending in this application. Claims 9, 12, 16-17, 2528-29, 31 and 38 are amended as filed on 3 May 2005. Claims 26, 33-34, 40-41 and 45-46 are canceled as filed on 3 May 2005.

Claim Interpretation

2. Claims 21 and 31 recite "to thereby drive improvement of the components". Any language that suggests or makes optional but does not require steps to be performed or does not limit a claim to a particular structure does not limit the scope of a claim or claim limitation. See MPEP 2106, section II, subsection C for specific examples.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. **Claim 14, 21, 31 and 44 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

5. Claim 14 recites the limitation "the ports" in Claim 14, line 2. There is insufficient antecedent basis for this limitation in the claim.

6. Claims 21 and 31 recite "Inducing competition between the entities" (Claim 21, line 4, and Claim 31, line 5). It is unclear how applicant intends to induce competition. From applicant's specification, it appears that competition is merely allowed, not induced. For example the instant specification recites: "The resulting market forces will therefore drive competition between the entities, thereby forcing each entity to improve the provision of its respective service in order to capture greater market share" (pg 33, line 33 – pg 34, line 2). From this example, market forces are driving competition, and the present invention allows competition to occur but does not induce competition. For the purposes of examination "Inducing competition between the entities" will be treated as allowing competition between the entities.

7. Claim 44 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claim recites: "Apparatus for method" (Claim 44, line 1). It is unclear which statutory category of invention this claim is directed to. It appears to be an apparatus however the limitations only recite a series of steps or acts.

Claim Rejections - 35 USC § 101

8. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

9. Claim 44 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. While it is unclear as to which statutory category of invention the claim is directed, the claim starts by reciting "Apparatus" so it will be treated as such for the purposes of examination. The claim goes on to list a series of steps, and lacks the necessary physical articles or objects to constitute a machine or manufacture within the meaning of 35 USC 101.

Claim Rejections - 35 USC § 102

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

11. Claims 1-6, 12-20, 22-25, 27-30, 35-39 and 42-44 are rejected under 35 U.S.C. 102(e) as being anticipated by Hanagan et al. (US 2001/0056362 A1).

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12. With respect to Claim 1, Hanagan disclosed: "A method of allowing a user to obtain a service using a processing system (Abstract, lines 1-3), the method utilising components each component corresponding to a respective service portion provided by a respective entity ([0087], lines 1-5), the method including causing the processing system to:

a) Determine a combination of components in accordance with input commands received from the user, the defined component combination defining a sequence of service portions ([0081], lines 3-9, where the OP accepts work requests and determines the combination of resources needed to complete the request); and,

b) Implement the components in accordance with the component combination, thereby causing the sequence of service portions to be performed, such that the desired service is performed ([0081], lines 16-26, where for example, a customer orders call waiting, and the OP activates the service automatically by contacting the network element)".

13. With respect to Claim 2, Hanagan disclosed: "A method according to claim 1, the processing system including a base station coupled to one or more end stations via a communications network ([0181], lines 1-3, where the base station is the CCM, the end stations are the kiosks or remote access users), the method including allowing the user to use the end station to: a) Select one or more of the components ([0181], lines 10-13, where adding a new product or service in a GUI includes selecting the product or service); and, b) Define a component combination using the selected components

([0181], lines 10-16, where selecting different combinations of services defines a combination)").

14. With respect to Claim 3, Hanagan disclosed: "A method according to claim 2, the method including causing the base station to: a) Receive a component request from the end station ([0181], lines 11-13, where a user adding a new product or service is a request); b) Transfer an indication of one or more components to the end station in accordance with the request ([0110], lines 6-14, where a user selects wireless service only and details of the wireless component must be transferred in order for the user to see only wireless products available to residential customers in a specific region), thereby allowing the user to select one or more of the components ([0181], lines 1-3 and 10-16, and Fig. 12, where a remote user can select components)".

15. With respect to Claim 4, Hanagan disclosed: "A method according to claim 3, the method including causing the base station to: a) Receive a component selection from the end station ([0181], lines 11-13, where a user adding a new product or service is a selection), the component selection indicating one or more selected components ([0181], lines 11-13, where a user adding a new product or service is indicating the new product or service); and, b) Transfer details of the selected components to the end station in response to the request ([0110], lines 6-14, where a user selects wireless service only and details of the wireless component must be transferred in order for the user to see only wireless products available to residential customers in a specific

region), thereby allowing the user to define the component combination ([0110], lines 6-14 and Fig 12, where wireless service is requested and the user can select certain combinations such as voice, data, caller ID, peak minutes etc)".

16. With respect to Claim 5, Hanagan disclosed: "A method according to claim 2, the base station including a store for storing component specifications representing the service portion provided by a respective component and ([0182], lines 3-5), a processor ([0411], lines 8-10, where a CPU runs processes), the method including causing the processor to: a) Access the component specifications stored in the store ([0186], lines 1-4, where providing a catalog of the items is accessing the specifications stored by the PSM); and, b) Provide an indication of the services provided by the components to the end station (Fig. 12, and [0181], lines 10-13), thereby allowing the user to select respective ones of the components (Fig. 12, and [0181], lines 10-13, where a user can select a new product or service)".

17. With respect to Claim 6, Hanagan disclosed: "A method according to claim 5, at least some of the components including one or more ports ([0087], lines 8-12), the store being further adapted to store port specifications ([0182], lines 3-5, where the PSM stores product and service reference data, and [0185], lines 6-9, where service definitions includes association rules between the new service and existing services), each port specification indicating any information to be received by or output from the port ([0087], lines 8-12, where all information that is needed by the sending and

receiving system is included), the method including causing the processor to: a) Access the port specifications stored in the store ([0186], lines 1-4, where the PSM provides the catalog to other applications, and therefore accesses the catalog, which has the service information including association rules or port specifications); and, b) Provide an indication of the information to the end station, thereby allowing the user to select the components ([0186], lines 1-4, where the PSM provides the catalog to customers so the customer can choose a service or product when making a purchase)".

18. With respect to Claim 12, Hanagan disclosed: "A method according to claim 2, the components being implemented by component processing systems ([0081], lines 3-9, where component processing systems are the resources required to fulfill the request), the method of implementing the combined components including: a) Generating a service request for each component in the component combination ([0081], lines 16-23, where a customer purchases a new phone line or call waiting and the OP translates the purchase into a request); and, b) Transferring the service request to each entity via the communications network ([0081], lines 16-23, where the OP transfers the request to the network elements), each entity being adapted to respond to the service request to implement the data manipulation embodied by the respective component ([0081], lines 23-26, where the network element fulfills the request and responds with a success to the OP)".

19. With respect to Claim 13, Hanagan disclosed: "A method according to claim 12, the method including: Determining any information required by the components ([0081], lines 3-9, where the OP determines the tasks required to complete the task and the type of resources required for each task); and, Providing the information in the service request ([0081], lines 16-23, where the OP determined the network element and translates the request to a low level activation request for the network element)".

20. With respect to Claim 14, Hanagan disclosed: "A method according to claim 12, each service request including an indication of the interconnections for each of the ports of the respective component ([0089], lines 3-8, Fig. 2, and [0090], lines 1-3, where the service request is for a replacement rating, billing engine in order to interface with the clients existing systems for customer care, financials management, order processing and network access. The request includes information on interfacing the new components with legacy components [0090], lines 3-18, or indication of the interconnections for the respective components)".

21. With respect to Claim 15, Hanagan disclosed: "A method according to claim 14, the method including causing each component processing system to: a) Implement one or more respective component instances in accordance with the received service request ([0089], line 3 – [0090], line 3, where a client requests certain components, and these are implemented in the existing legacy system); and, b) Cause each component instance to: i) Interact with other components in accordance with the interconnections

defined in the service request ([0090], lines 3-18, where the various legacy components and the new components interact according to the service request); and, ii) Perform any required information manipulations ([0090], lines 3-18, where the legacy components and new components communicate via standardized interfaces)".

22. With respect to Claim 16, Hanagan disclosed: "A method according to claim 14, the method including causing each component processing system to: a) Implement a respective agent associated with each port ([0090], lines 3-18, where the components use standardized interfaces, or agents); and, b) Cause each agent to cooperate with an agent of another component in accordance with the defined interconnections, to thereby allow data to be transferred between the ports ([0090], lines 14-18, where the standardized interfaces between components, or agents, allow data such as billed charges and invoice formats to be transferred)".

23. With respect to Claim 17, Hanagan disclosed: "A method according to claim 1, at least some of the services being adapted to manipulate information ([0081], lines 16-23, where the service request requires the request be translated into a low level network activation request for a network element, or the service request requires information to be manipulated), the entity being adapted to perform the service by: a) Receiving the information to be manipulated at a ports ([0081], lines 16-18, where the OP receives a request from the CCM); b) Perform the manipulation ([0081], lines 21-23, where the OP translates the request to low level activation request); and, c) Provide the manipulated

information at one of the ports ([0081], lines 21-23, where the translated request is transferred to the network element)".

24. With respect to Claim 18, Hanagan disclosed: "A method according to claim 17, the method including transferring the manipulated information to one or more components in accordance with the defined component combination ([0081], lines 21-23, where the OP transfers the manipulated information, the translated service request, to the network element in accordance with the service requested, i.e. call waiting)".

25. With respect to Claim 19, Hanagan disclosed: "A method according to claim 1, the method including causing the base station to: a) Determine performance information, the performance information being representative of one or more criteria regarding the implementation of the components by the respective entities ([0196], lines 16-21, where pricing information is determined); b) Provide the performance information to the user, the user selecting the components in accordance with the performance information ([0196], lines 16-21, where pricing information can be retrieved by the CCM to answer customer inquiries)".

26. With respect to Claim 20, Hanagan disclosed: "A method according to claim 19, the performance information including at least one of: a) An indication of the entity implementing the component; b) An indication of the geographical location of the entity; c) An indication of the duration for implementing the component; d) An indication of a

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cost associated with implementing the respective component; and, e) A rating, the rating being indicative of the success of the component ([0196], lines 16-21, where performance information can include pricing information, or final pricing of events)".

27. With respect to Claim 22, Hanagan disclosed: "A method according to claim 1, the method including generating revenue by charging a fee for the use of each component ([0050], lines 9-11, where a bill is created for the services used by the customer)".

28. With respect to Claim 23, Hanagan disclosed: "A method according to claim 22, the method including: a) Providing at least some of the revenue to the entity implementing the respective component; and, b) Having an operator of the base station retain at least some of the revenue ([0050], lines 1-11, where the operator of the base station is the telecommunications provider which implements the components, and the revenue generated from the bill will be provided to the telecommunications provider)".

29. With respect to Claim 24, Hanagan disclosed: "A system for allowing a user to obtain a service (Abstract, lines 1-3), the service being implemented using components, each component corresponding to a respective service portion provided by a respective entity ([0087], lines 1-5), the system including a processing system adapted to:

a) Determine a combination of components in accordance with input commands received from the user, the defined component combination defining a sequence of

service portions ([0081], lines 3-9, where the OP accepts work requests and determines the combination of resources needed to complete the request); and,

b) Implement the components in accordance with the component combination, thereby causing the sequence of service portions to be performed, such that the desired service to be performed ([0081], lines 16-26, where for example, a customer orders call waiting, and the OP activates the service automatically by contacting the network element)".

30. With respect to Claim 25, Hanagan disclosed: "A system according to claim 24, the system including a base station coupled to one or more end stations via a communications network ([0181], lines 1-3, where the base station is the CCM, the end stations are the kiosks or remote access users)".

31. With respect to Claim 27, Hanagan disclosed: "A method of allowing users to manipulate data ([0181], lines 11-13, where adding new adding new product and services is manipulating the account data for the user), the method including:

a) Providing details of a number of components ([0181], lines 10-13 and Fig 12, where details of components include the number of peak and off peak minutes provided by a mobile component), each component representing a respective service portion implemented by a respective entity ([0181], lines 10-16 and Fig 12, where the components, mobile, landline, internet service represents a respective service, wireless phone, wired phone, internet service);

b) Allowing users to define a component combination defining a sequence of service portions ([0181], lines 10-16 and Fig 12, where the user has selected mobile, landline and internet service as a combination); and,

c) Causing the service portions to be defined in accordance with the defined combination ([0181], lines 10-16 and Fig 12, where the defined combination of components provides defined service portions)".

32. With respect to Claim 28, Hanagan disclosed: "A method according to claim 27, the method including: a) For each component, receive a component specification from a respective entity ([0185], lines 6-9, where a product manager provides component specification); and, b) Provide details of one or more components to the user in response to a request ([0196], lines 19-21, where the customer requests billing information and is provided the answer), thereby allowing the user to request implementation of the one or more components, the details being determined from the specification ([0081], lines 16-23, where a customer requests a new product and that product is activated, or implemented, and [0050], lines 9-11, where a bill is created for the services used by the customer)".

33. With respect to Claim 29, Hanagan disclosed: "A method according to claim 27, the method including causing the processing system to: a) Determine performance information ([0196], lines 16-21, where performance information is pricing information), the performance information being representative of one or more criteria regarding the

implementation of the components ([0196], lines 16-21, where pricing information includes cost of implementing the services or components); b) Provide the performance information to a user, the user selecting the components in accordance with the performance information ([0196], lines 19-21, where the customer requests billing information and is provided the answer, and a customer selects components based on pricing information)".

34. With respect to Claim 30, Hanagan disclosed: "A method according to claim 29, the performance information including at least one of. a) An indication of the entity implementing the component; b) An indication of the geographical location of the entity; c) An indication of the duration for implementing the component; d) An indication of a cost associated with implementing the respective component; and, e) A rating, the rating being indicative of the success of the component ([0196], lines 16-21, where price information is the cost associated with implementing the respective component)".

35. With respect to Claim 35, Hanagan disclosed: "A method of providing a component embodying a service portion using a processing system (Abstract, lines 1-3), the method including: a) Determining a service portion to be performed ([0089], lines 3-8, where the service portion to be performed is implement a new rating and billing engine); b) Determining a method of performing the service portion ([0090], lines 1-3, where the service is performed by integrating the new components with the legacy components); and, c) Generating a component specification defining the service portion

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([0087], lines 12-13, where interfaces are specifications), the component specification including port specifications defining any information to be received or output from the respective port ([0087], lines 9-12, where the specification is the standardized interface)".

36. With respect to Claim 36, Hanagan disclosed: "A method according to claim 35, the method including further determining a private component specification defining the method of performing the service portion ([0081], lines 4-9, where the OP determines a private specification defining the method of performing the service, including tasks and resources required and scheduling, and this is private from the client making the request)".

37. With respect to Claim 37, Hanagan disclosed: "A method according to claim 35, the method including providing the component specification to a processing system ([0186], lines 1-4, where a catalog is the specification), the processing system being adapted to provide details of the component to users thereby allowing users to select the component for use ([0196], lines 16-21, where details of the component include price information)".

38. With respect to Claim 38, Hanagan disclosed: "A method according to claim 35, the method including defining a component server to be implemented by the processing system ([0081], lines 1-3, where the OP is a component server), the component server

being adapted to generate component instances performing the service portion ([0081], lines 16-26, where the OP generates low level activation request for the network element to implement the service ordered)".

39. With respect to Claim 39, Hanagan disclosed: "Apparatus for providing a component embodying a service portion using a processing system (Abstract, lines 1-3), apparatus including a processing system adapted to: a) Determine in accordance with user input commands ([0089], lines 3-8, where user input commands is a client request): i) A service portion to be performed ([0089], lines 3-8, where the service portion to be performed is implement a new rating and billing engine); ii) A method of performing the service portion ([0090], lines 1-3, where the service is performed by integrating the new components with the legacy components); and,iii) Generate a component specification defining the service portion ([0087], lines 12-13, where interfaces are specifications), the component specification including port specifications defining any data to be received or output from the ports ([0087], lines 9-12, where the specification is the standardized interface)".

40. With respect to Claim 42, Hanagan disclosed: "A method of providing a service portion embodied in a component using a processing system (Abstract, lines 1-3), the method including causing the processing system to: a) Receive a service request ([0089], lines 3-8); b) Generate a respective component instance in response to the received service request ([0090], lines 1-3, where generated component instances are

used to fulfill the request and provide new ERP, CBM and PSM components); c) Obtain any required information ([0089], lines 1-3, where information obtained includes which new components to implement and which legacy components will remain); and, d) Perform the service portion ([0090], lines 1-3, where the new components are integrated with the legacy components to fulfill the request)".

41. With respect to Claim 43, Hanagan disclosed: "A method according to claim 42, the method including causing the processing system to perform the service portion using at least one of." a) A predetermined process; and, b) Input commands received from an operator ([0081], lines 26-32, where automatic activation of a service is not possible and an operator or workforce intervention is required)".

42. With respect to Claim 44, Hanagan disclosed: "Apparatus for method providing a service portion embodied in a component (Abstract, lines 1-3), the apparatus including a processing system adapted to: a) Receive a service request ([0089], lines 3-8); b) Generate a respective component instance in response to the received service request ([0090], lines 1-3, where generated component instances are used to fulfill the request and provide new ERP, CBM and PSM components); c) Obtain any required information ([0089], lines 1-3, where information obtained includes which new components to implement and which legacy components will remain); and, d) Perform the service portion ([0090], lines 1-3, where the new components are integrated with the legacy components to fulfill the request)".

43. Claim 32 is rejected under 35 U.S.C. 102(e) as being anticipated by Gangopadhyay et al. (US 6,973,638 B1).

44. With respect to Claim 32, Gangopadhyay disclosed: "Apparatus for allowing users to manipulate data (Col. 2, lines 15-23), the apparatus including a processing system (Col. 2, lines 17-18) adapted to: a) Provide access to one or more components, each component representing a respective service for manipulating data (Col. 2, lines 15-23, where users use the user interface to create a graphical representation of transactions and events); b) Allow user to define a combination of the components (Col. 2, lines 15-23, where users use the user interface to create a graphical representation of transactions and events); and, c) Cause the components to manipulate data in accordance with the defined combination (Col. 2, lines 24-36, where the graphical representation of components is translated into computer code and executed)".

Claim Rejections - 35 USC § 103

45. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

46. Claims 7-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hanagan in view of Gangopadhyay.

47. With respect to Claim 7, Hanagan did not explicitly state: "the method including allowing the user to define the component combination by connecting the ports of the selected components using the end station".

However, Gangopadhyay disclosed: "the method including allowing the user to define the component combination by connecting the ports of the selected components using the end station (Col. 2, lines 15-23 and Fig 3)".

One of ordinary skill in the art at the time of the invention would have been motivated to combine Hanagan and Gangopadhyay since Hanagan disclosed teachings related to providing a user definable service. Gangopadhyay disclosed a method to define a service.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the customer care and billing system of Hanagan with the teachings of Gangopadhyay to include support for connecting ports of components in response to input commands from a user to define component combinations. Motivation to combine these references comes from Gangopadhyay, where: "By showing the steps in a visual form observers as well as participants often more clearly understand the nature of the interaction taking place" (Col. 1, lines 15-18). Therefore by combining the references one can more clearly understand the nature of the interaction taking place.

48. With respect to Claim 8, the combination of Hanagan and Gangopadhyay disclosed: "A method according to claim 7, the method including connecting the ports in accordance with the port information defined in the port specifications (Hanagan, [0185], lines 6-9, where association rules are defined for a service for interfacing with existing services)".

49. With respect to Claim 9, Hanagan disclosed: "A method according to claim 4, the method including causing the base station and/or the end station to: a) Generate a graphical representation of the selected components ([0110], lines 1-8)"

Hanagan did not explicitly state: "Manipulate the graphical representation in response to input commands received from the user to thereby define the component combination".

However, Gangopadhyay disclosed: "Manipulate the graphical representation in response to input commands received from the user to thereby define the component combination (Col. 2, lines 17-23)".

One of ordinary skill in the art at the time of the invention would have been motivated to combine Hanagan and Gangopadhyay since Hanagan disclosed teachings related to providing a user definable service. Gangopadhyay disclosed a method to define a service.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the customer care and billing system of Hanagan with the

teachings of Gangopadhyay to include support for manipulating graphical representations of components in response to input commands from a user to define component combinations. Motivation to combine these references comes from Gangopadhyay, where: "By showing the steps in a visual form observers as well as participants often more clearly understand the nature of the interaction taking place" (Col. 1, lines 15-18). Therefore by combining the references one can more clearly understand the nature of the interaction taking place.

50. With respect to Claim 10, the combination of Hanagan and Gangopadhyay disclosed: "A method according to claim 9, the method further including causing the base station to: a) Obtain a graphical representation of the selected components (Hanagan, [0110], lines 1-8); b) Transfer the graphical representations to the end station ([0181], lines 1-4, where the end stations are the kiosk or remote access users, the information of the services and products, including graphical representation, must be transferred to the remote access users in order to function)".

51. With respect to Claim 11, the combination of Hanagan and Gangopadhyay disclosed: "A method according to claim 10, the method including causing the base station and end station to implement the combined components in accordance with the generated graphical representation (Gangopadhyay, Col. 2, lines 24-36, where the graphical representation is used to create executable computer code to implement the

process of the graphical representation)".

52. Claims 21 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hanagan in view of Rigole (US 7,139,728 B2).

53. With respect to Claims 21 and 31, Hanagan did not explicitly state: "the method including: a) Providing a number of different components for performing equivalent service portions (Col. 3, lines 35-36, where there are a number of different service providers providing equivalent service portions, such as long distance telephone), the different components being provided by different entities (Col. 3, lines 35-39, the service providers being different entities); and, b) Inducing competition between the entities (Col. 3, lines 39-41, where a user can select a service provider based on features, thereby allowing competition between the entities) to thereby drive improvement of the components".

One of ordinary skill in the art at the time of the invention would have been motivated to combine Hanagan and Rigole since Hanagan disclosed teachings related to providing a user definable service. Rigole disclosed a system to provide services to a customer.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the customer care and billing system of Hanagan with the teachings of Rigole to include support for allowing customers to view equivalent services provided by different entities. Motivation to combine these references comes

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from Rigole, where: "the consumer can use a criteria feature to list the services in order of preference based upon one or more selected characteristics, such as price or service level. The consumer can then select a particular service provider and review pertinent service information" (Col. 3, lines 39-43). Therefore by combining the references one can easily compare services based on characteristics such as price in order to make a more informed decision.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MATTHEW S. LINDSEY whose telephone number is (571)270-3811. The examiner can normally be reached on Mon-Thurs 7-5, Fridays 7-12.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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MSL
8/12/2008

/Kenny S Lin/

Primary Examiner, Art Unit 2152